22nd December 1949] [The Deputy President]

'In pursuance of section 82, sub-section (3). of the Government of India Act, 1935, I, Krishna Kumarsinhji Bhavsinhji, Governor of Madras, hereby recommend to the Madras Legislative Council the consideration of the Madras Electricity Supply Undertakings (Acquisition) Bill, 1949.'

(3) 'In pursuance of section 82, sub-sections (1) and (3), of the Government of India Act, 1935, I, Krishna Kumarsinhji Bhavsinhji, Governor of Madras, hereby recommend to the Madras Legislative Council the consideration of the Madras Merged States (Laws) Bill, 1949.'

'In pursuance of section 299, sub-section (3), of the Government of India Act, 1935, I, Krishna Kumarsinhji Bhavsinhji, Governor of Madras, hereby accord my previous sanction for the introduction of the Madras Merged States (Laws) Bill, 1949, in the Madras Legislative Council'."

IV.—GOVERNMENT BILLS.

(1) THE PLACES OF PUBLIC RESORT (AMENDMENT) BILL, 1949 (L.A. BILL NO. 39 OF 1949).

THE HON. DR. T. S. S. RAJAN :—" Sir, I move—

'*that the Places of Public Resort (Amendment) Bill, 1949 (L.A. Bill No. 39 of 1949), as passed by the Legislative Assembly, be taken into consideration at once.*'

It is not necessary to take a licence under the Places of Public Resort Act, 1888, in respect of an enclosed place or building used for public resort or entertainment if its area is less than five hundred square feet. We have received information from various districts that in some cases gambling takes place under the guise of games of skill and that in these cases the licensing provisions of the Places of Public Resort Act are evaded by reducing the area of the enclosed place or building to a little below five hundred square feet. By this amendment to that Act, we want in municipalities and major panchayats to insist on a licence in respect of an enclosed place or building, irrespective of its area, if it is used for any game or competition in which the public are allowed to take part."

THE DEPUTY PRESIDENT :—" The motion is—

'that the Places of Public Resort (Amendment) Bill, 1949 (L.A. Bill No. 39 of 1949), as passed by the Legislative Assembly, be taken into consideration at once'."

SRI R. SURYANARAYANA RAO :—" Mr. Deputy President, Sir, I rise with a view to ask the Government why they did not consider it necessary to make sub-clause (*b*) applicable to all places. Its application is restricted to areas within the jurisdiction of a municipal council or of a panchayat classified by the Provincial Government as a major panchayat. The Government consider that gambling is undesirable and that it should be checked to the utmost extent possible. I would wish, Sir, that that clause had been made applicable to all areas by the insertion of the words, 'within the jurisdiction of a municipal council or a local body', instead of restricting it to a municipal council and a major panchayat alone. I mention this because it is easy to circumvent this provision by just going outside the limit of a major panchayat area or a municipal area and have the gambling there. Then this law would not be applicable in such cases. 11-45 p.m.

"Now Sir, we are shortly going to enact the Village Panchayat Bill into law. A large number of panchayats will come into existence and every place will come within the purview of this provision. And as the Government themselves consider that gambling is undesirable, it is absolutely necessary that it should be checked and reduced to the minimum. I wish, Sir, that when another opportunity presents itself, the Government will insert the word 'local bodies' also in this provision, thus bringing within its purview both major as well as minor panchayats, so that the application of this Act may be extended to all places in the Province to see that the evil of gambling is minimised, as far as possible."

* SRI B. BHIMA RAO :—" Mr. Deputy President, Sir, I want to elicit only one point of information. I am certainly one with the Government in seeing that this evil of gambling is checked. But how would this gambling be checked by the insistance of the taking out of a licence in the manner indicated in the present clause (?). Even in those cases where licences were taken out previously, I have seen how gambling was carried on under the guise of a game of skill. They take out a board and make some holes in it, and ask people to hit it with a ball from a distance, and if it goes into a particular hole, they give Rs. 100, 50 and so on. This is certainly gambling pure and simple, but they call it a game of skill. That is how they obtain a licence and get along with that sort of gambling. If you merely insist in these cases on the taking out of a licence for the purpose how is this evil of gambling going to be checked and put an end to?"

THE HON. DR. T. S. S. RAJAN :—" Mr. Deputy President, Sir, at the outset, I want to make it clear that the purpose of this amendment is not to check or put an end to gambling that is going on in the Province. This Bill is not against gambling as such. The scope of this amendment is specific and restricted. Certain District Magistrates in the Province have found out this lacuna in the Act and pointed out that not specifying an area while ordering licences to be issued in places within that 500 square feet, had led to abuses. Therefore, hon Members will see that this Act really permits gambling in a way. It is to correct the lacuna in the law that this amendment is brought forward. It is not to check gambling as such.

"With regard to the area of jurisdiction of this Act, it includes all municipalities and major panchayat areas, as well. It is only to such an extent that licence is possible and is given and there is an agency to issue the licences and to inspect the areas. It is in such areas that this amendment is being made applicable and it is not possible to make it applicable all over the Province, where there is no special agency to detect crimes and take action thereon. Therefore the limitation under which this amendment operates is made clear. It is intended for a specific purpose in order to see that there is no evasion within that particular area. That is all I have to say in reply to the points raised by my hon. Friends, Mr. Suryanarayana Rao and Mr. Bhima Rao."

22nd December 1949]

THE DEPUTY PRESIDENT :—" The question is—

'that the Places of Public Resort (Amendment) Bill, 1949 (L.A. Bill No. 39 of 1949), as passed by the Legislative Assembly, to be taken into consideration at once '."

The motion was carried.

Clauses 2, 1 and the Preamble were put and carried.

THE HON. DR. T. S. S. RAJAN :—" I move, Sir—

'*that the Bill be passed into law* '."

THE DEPUTY PRESIDENT :—" The motion is—

'that the Places of Public Resort (Amendment) Bill, 1949 (L.A. Bill No. 39 of 1949), as passed by the Assembly be passed into law '."

The motion was carried and the Bill was passed into law.

(2) THE MADRAS COMMERCIAL CROPS MARKETS (SECOND AMENDMENT) BILL, 1949 (L.A. BILL NO. 40 OF 1949).

THE HON. SRI A. B. SHETTY :—" Mr. Deputy President, Sir, I move—

'*that the Madras Commercial Crops Markets (Second Amendment) Bill, 1949 (L.A. Bill No. 40 of* 1949), *as passed by the Legislative Assembly be taken into consideration at once.*'

" As mentioned in the Statement of objects and reasons, this Bill seeks to amend section 18 of the Act so as to empower Government to make rules in regard to the procedure to be followed by the Market Committee in financial matters."

THE DEPUTY PRESIDENT :—" The motion is—

'that the Madras Commercial Crops Markets (Second Amendment) Bill, 1949 (L.A. Bill No. 40 of 1949), as passed by the Assembly be taken into consideration at once '."

The motion was carried.

Clauses 2, 1 and the Preamble were put and carried.

THE HON. SRI A. B. SHETTY :—" Mr. Deputy President, Sir, I move—

'*that the Bill be passed into law* '."

THE DEPUTY PRESIDENT :—" The motion is—

'that the Madras Commercial Crops Markets (Second Amendment) Bill, 1949 (L.A. Bill No. 40 of 1949), be passed into law '."

The motion was carried and the Bill was passed into law.